

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

STACIE CAMPANELLI,

Plaintiff(s),

vs.

DESERT SALES ACADEMY, INC.,

Defendant(s).

Case No. 2:14-cv-01624-RFB-NJK

ORDER DENYING JOINT
DISCOVERY PLAN

(Docket No. 11)

Pending before the Court is the parties' stipulated discovery plan and scheduling order (Docket No. 11), which is hereby **DENIED** without prejudice. Within the stipulation, the parties state that "[d]iscovery will take the standard six (6) months, measured from January 12, 2015, the date of the Early Neutral Evaluation Session." *Id.*, at 2. The parties are essentially requesting a stay of discovery, pending the resolution of the Early Neutral Evaluation Session. Such a request may be refiled, but must address the relevant standards. *See Kor Media Group, LLC v. Green*, 294 F.R.D. 579, 581 (D. Nev. 2013); *see also Tradebay, LLC v. eBay, Inc.*, 278 F.R.D. 597, 601 (D. Nev. 2011). *But see Schlottmann v. Nevada ex rel. Bd. of Regents of Nevada Sys. of Higher Educ.*, 2012 WL 3135637, at *3 (D. Nev. Aug. 1, 2012) (denying a request for a stay of discovery until after the conclusion of the Early Neutral Evaluation Session). "It is well-established that a party seeking a stay of discovery carries the heavy burden of making a strong showing why discovery should be stayed." *Tradebay*, 278 F.R.D. at 601. The parties have failed to make the required showing for the Court to grant a stay of discovery.

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1 Furthermore, the parties' joint discovery plan fails to include "a statement of the reasons why
2 longer or different time periods should apply to the case." Local Rule 26-1(d). Local Rule 26-
3 1(e)(1) establishes 180 days, measured from the date the first defendant answers or otherwise
4 appears, as a presumptively reasonable time to complete discovery. Where more than 180 days of
5 discovery are sought, the proposed discovery plan must provide an explanation why the parties
6 believe additional time is required. Local Rule 26-1(d). In this case, the parties merely state, without
7 elaboration, that the request "is made to facilitate efforts at the Early Neutral Evaluation Session."
8 Docket No. 11, at 2.

9 The parties shall submit a revised discovery plan no later than December 16, 2014, that
10 complies with the Local Rules. In the alternative, the parties may submit a request for stay that
11 addresses all relevant standards, no later than December 16, 2014.

12 IT IS SO ORDERED.

13 DATED: December 9, 2014

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NANCY J. KOPPE
United States Magistrate Judge
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